

Exhibit A

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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRANSCRIPT OF PROCEEDINGS - STATUS
BEFORE THE HONORABLE GEORGE W. LINDBERG

12 || APPEARANCES:

13 For the Plaintiffs: EDELMAN, COMBS, LATTURNER & GOODWIN
14 BY: MS. CASSANDRA P. MILLER
15 MR. CURTIS C. WARNER
120 S. LaSalle St., 18th Floor
Chicago, Illinois 60603

17 For the Defendants: DYKEMA GOSSETT
18 BY: MS. RENEE L. ZIPPRICH
10 South Wacker Drive, Suite 2300
Chicago, Illinois 60606

20 Court Reporter: MR. JOSEPH RICKHOFF
Official Court Reporter
21 219 S. Dearborn St., Suite 1232
Chicago, Illinois 60604
22 (312) 435-5562

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PROCEEDINGS RECORDED BY
MECHANICAL STENOGRAPHY
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1 THE CLERK: 11 C 3149, Scardina vs. Midland Credit.

2 MS. ZIPPRICH: Good morning, your Honor, Renee
3 Zipprich here for the defendants.

4 MS. MILLER: Good morning, your Honor, Cassandra
5 Miller on behalf of the plaintiff.

6 MR. WARNER: Good morning, your Honor, Curtis Warner
7 on behalf of the plaintiff.

8 THE COURT: Okay. Why don't you -- I have got
9 extensive notes, but I would rather hear it from you.

10 Surely you have settled by now.

11 (Laughter.)

12 MS. ZIPPRICH: No, but we've had some really good
13 conversations.

14 THE COURT: That is good.

15 MS. ZIPPRICH: Your Honor --

16 THE COURT: Have they been about the case?

17 (Laughter.)

18 MS. ZIPPRICH: About the case. We were talking about
19 our summer. That was a really pleasant conversation. No.

20 Your Honor ordered the parties to get together and
21 have another Rule 37 conference, which was very productive.
22 We got together last week. We came to some agreements on
23 discovery. We agreed upon certain -- the scope of how we
24 would address class discovery.

25 I wasn't at the last hearing. My colleague

1 Mr. Natarelli was here. And he reported to me, when I was on
2 vacation, over the phone that there was a discussion about
3 sampling. And it's really the best way to go about this sort
4 of discovery, because we just -- it would just take forever to
5 try to get to the relevant information if we didn't do a
6 sampling. Counsel has agreed to a sampling.

7 And we have agreed to a number of other issues that
8 were on the table, but the biggest issue, I think, was the
9 class discovery. I'm not sure if your Honor has had a chance
10 to review the plan that we submitted. That was prepared by
11 plaintiffs' counsel. We signed off on it. It definitely
12 memorialized all of our agreements.

13 We are prepared to file a motion, if your Honor needs
14 to see something in writing. But as was presented to your
15 Honor in the report, it's going to take us a good three months
16 to get through this sort of sampling because there's so many
17 different systems that we have to access on defendants' sites
18 in different locations to get the material.

19 And I'm not going to speak for counsel, but at the
20 meeting, it seemed acceptable to them. And, so, we would just
21 ask your Honor to allow us that amount of time to get through
22 that class discovery and, then, resolve any other issues that
23 are on the table.

24 THE COURT: Is that about it?

25 MS. MILLER: We would leave it to the Court's

1 discretion as to whether or not to extend the deadline.
2 Obviously, we need the information to proceed forward with our
3 class certification motion. Counsel's represented that that's
4 the amount of time it would take, and we're moving forward on
5 that basis.

6 THE COURT: Let us have you back, then, on November
7 30th at 10:00 o'clock.

8 MS. ZIPPRICH: Great.

9 THE COURT: We will see where you are at that point.

10 MS. ZIPPRICH: Okay.

11 THE COURT: Thanks.

12 MS. ZIPPRICH: Thank you very much.

13 MR. WARNER: Just as a housekeeping matter, your
14 Honor, you do get to keep this case. Judge Kocoras denied the
15 motion to consolidate at 9:30 this morning.

16 MS. ZIPPRICH: Lucky you.

17 THE COURT: I am getting used to it.

18 (Laughter.)

19 MS. ZIPPRICH: There is still is a MDL motion
20 pending. So, there is still a chance that the cases --
21 unfortunately for your Honor, you might have four of these
22 cases consolidated in front of you. We'll find out in the
23 next month.

24 THE COURT: The more the merrier.

25 MS. ZIPPRICH: Okay. Thank you.

1 THE COURT: Thanks, counsel.

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4 I certify that the foregoing is a correct transcript from the
record of proceedings in the above-entitled matter.

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7 /s/ Joseph Rickhoff
Official Court Reporter

September 1, 2011

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